

UNITED STATES DISTRICT COURT
for the

Northern District of California

JOSE A PRADO

Plaintiff

v.

FEDERAL EXPRESS CORPORATION

Defendant

Civil Action No. CV 12-03945 PSG

SUMMONS IN A CIVIL ACTION

Filed

DEC 11 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

To: *(Defendant's name and address)*

Agent for Service of Process
CT Corporation
818 W. Seventh Street
Los Angeles, CA 90017

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Jose A. Prado
PO Box 914
San Jose, CA 95108

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT
Richard W. Wieking

Ray Wactor
Signature of Clerk of Court or Deputy Clerk

Date: Oct 22, 2012

AO 440 (Rev. 01/09) Summons in a Civil Action (Page 2)

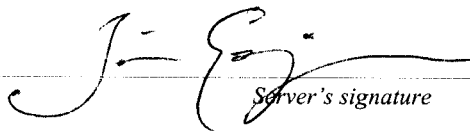
Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*This summons for *(name of individual and title, if any)* _____was received by me on *(date)* 10/22/12.☐ I personally served the summons on the individual at *(place)* _____on *(date)* _____ ; or☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____

, a person of suitable age and discretion who resides there,

on *(date)* _____, and mailed a copy to the individual's last known address; or☐ I served the summons on *(name of individual)* _____, who isdesignated by law to accept service of process on behalf of *(name of organization)* _____on *(date)* _____ ; or☐ I returned the summons unexecuted because _____ ; or☒ Other *(specify)*: Received Acknowledgement of ReceiptMy fees are \$ _____ for travel and \$ 55.⁰⁰ for services, for a total of \$ 55.⁰⁰.

I declare under penalty of perjury that this information is true.

Date: 12/5/12

Server's signature

Jaime Espinoza DUSM

Printed name and title

UNITED STATES MARSHALS SERVICE
280 South First Street Room 2100
San Jose, CA 95113

Server's address

Additional information regarding attempted service, etc:

U.S. Department of Justice
 United States Marshals Service



ORIGINAL

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF

Jose A Prado

DEFENDANT

Federal Express Corporation

ENTERED

COURT CASE NUMBER

12-3945PSG

TYPE OF PROCESS

** See Below

12/18 P 12:04

**SERVE
 AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

Agent for Process: CT Corporation System

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

818 W. Seventh Street, Los Angeles, Ca 90017

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Jose A. Prado
 PO Box 914
 San Jose, CA 95108

Number of process to be served with this Form 285

5

Number of parties to be served in this case

2

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

1. Complaint
2. Motion
3. ADR Scheduling Order
4. Minute Entry

5. Order

EXECUTED

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF

☐ DEFENDANT

TELEPHONE NUMBER

408-535-5513

DATE

10/22/12

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated.
 (Sign only for USM 285 if more than one USM 285 is submitted)

Total Process

5

District of Origin

No. 11

District to Serve

No. 11

Signature of Authorized USMS Deputy or Clerk

[Signature]

Date

10/22/12

I hereby certify and return that I ☐ have personally served ☒ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date

12/5/12

Time

☐ am
☐ pm

Signature of U.S. Marshal or Deputy

[Signature]

Service Fee

\$55.00

Total Mileage Charges including endeavors)

Forwarding Fee

Total Charges

\$55.00

Advance Deposits

Amount paid to Clerk of Court

\$0.00

REMARKS:

11/7/2012 Mailed Certified Return Receipt.
 12/5/12 Received Acknowledgement of Receipt +

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED